

REMARKS

The last Office Action of January 30, 2007 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 2, 4, 6 are pending in the application. No claims have been amended, canceled, or added. An amendment to the specification has been made. No fee is due.

It is noted that the disclosure is objected to because of an informality. Applicant has included in the specification a reference to parent applications PCT/DE2004/002253, and DE 103 52 874.1, as suggested by the Examiner. Withdrawal of the objection to the disclosure is thus respectfully requested.

Claims 6, 2, 4 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,807,404 to Richter.

Applicant respectfully disagrees with the Examiner's rejection of sole independent claim 6 for the following reasons:

Claim 6, on file, is directed to a stent having, i.a.,

a) struts (5, 6) that are **curved arcuately**,

b) first and second connectors (9, 10) of different length which alternate in the circumferential direction **and** in the direction of the longitudinal axis, and

c) the first and second connectors (9, 10) have **arcuate** legs (13) disposed on both sides of a compensating section (12).

None of the claim limitations a), b) and c) is disclosed in Richter.

With respect to claim limitation a), Richter discloses struts that have a straight configuration. This is clearly shown in all embodiments of Richter. The contention by the Examiner that Richter discloses "*struts [that] are curved arcuately*" is therefore incorrect.

With respect to claim limitation b), Richter, although disclosing different types of connectors (Z-shaped and S-shaped connectors), these different types of connectors have a **same** length and do **not** alternate in circumferential direction and

in the direction of the longitudinal axis.

With respect to claim limitation c), Richter also fails to show the arcuate configuration of the connectors on both sides of a compensating section. Rather the legs are straight.

For the reasons set forth above, it is applicant's contention that Richter neither teaches nor suggests the features of the present invention, as recited in claim 6.

As for the rejection of the retained dependent claims, these claims depend on claim 6, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

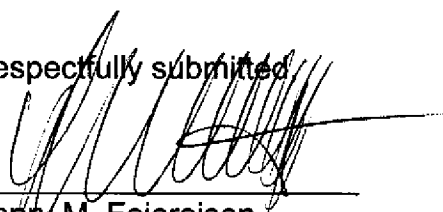
Applicant believes that when reconsidering the claims in the light of the above comments, the Examiner will agree that the invention is in no way properly met or anticipated or even suggested by any of the references however they are considered.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted

By:


Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: April 30, 2007
350 Fifth Avenue, Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF:af